

MONDAY, APRIL 9, 1984

FIFTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bill Atchley of Sevier County.

Representative Atchley led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 88

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--88.

The Speaker announced that Representative Moore (Sullivan) was excused because of legislative business.

The Speaker announced that Representative Dixon was excused because of personal business.

The Speaker announced that Representative McNally was excused because of illness.

The Speaker announced that Representative Herndon was excused because of personal business.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 327 and 342, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 925, 1627 and 1740; House Resolutions Nos. 107, 108 and 109; and House Joint Resolutions Nos. 339, 340, 341, 346, 349, 350, 351, 352, 353, 356, 357, 377, 381 and 390; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 925, 1627 and 1740; House Resolutions Nos. 107, 108 and 109; and House Joint Resolutions Nos. 339, 340, 341, 346, 349, 350, 351, 352, 353, 356, 357, 377, 381 and 390.

ANNOUNCEMENT

The Speaker announced that he had granted a leave of absence to Bryant Millsaps, Chief Clerk of the House.

APPOINTMENT OF ACTING CHIEF CLERK

The Speaker announced that he had appointed Mr. David H. Welles of Weakley County as Acting Chief Clerk.

Mr. McKinney moved that the House confirm the appointment of Mr. Welles as acting Chief Clerk, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--89.

OATH OF OFFICE

Mr. Speaker McWherter administered the Oath of office to Mr. Welles.

CALENDAR

Mr. Love moved that House Bill No. 761 be placed on the Calendar for Monday, April 23, 1984, which motion prevailed.

Mr. Love moved that House Bill No. 351 be placed on the Calendar for Monday, April 23, 1984, which motion prevailed.

House Bill No. 1417--To amend Section 70-4-128, Code.

On motion, House Bill No. 1417 was made to conform with Senate Bill No. 1398.

On motion, Senate Bill No. 1398, on same subject, was substituted for House Bill No. 1417.

Mr. Naifeh moved that Senate Bill No. 1398 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance,

Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--86.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1608--To set penalty, defacing cemeteries.

On motion, House Bill No. 1608 was made to conform with Senate Bill No. 1558.

On motion, Senate Bill No. 1558, on same subject, was substituted for House Bill No. 1608.

Mr. Naifeh moved that Senate Bill No. 1558 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	1
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--85.

Representative voting no was: Copeland--1.

Representative present and not voting was: Starnes--1.

A motion to reconsider was tabled.

House Bill No. 1910--To regulate fur dealers.

Mr. Naifeh moved that House Bill No. 1910 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

House Bill No. 1418--To make certain provisions, insurance agents.

On motion, House Bill No. 1418 was made to conform with Senate Bill No. 1412.

On motion, Senate Bill No. 1412, on same subject, was substituted for House Bill No. 1418.

Mr. Love moved that Senate Bill No. 1412 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--84.

A motion to reconsider was tabled.

House Bill No. 1414--To regulate licensing, non-resident tobacco dealers.

On motion, House Bill No. 1414 was made to conform with Senate Bill No. 1406.

On motion, Senate Bill No. 1406, on same subject, was substituted for House Bill No. 1414.

Mr. Kent moved that Senate Bill No. 1406 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hessel, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--87.

Representative present and not voting was: Naifeh--1.

A motion to reconsider was tabled.

House Bill No. 1531--To regulate collateral for State deposits.

On motion, House Bill No. 1531 was made to conform with Senate Bill No. 1477.

On motion, Senate Bill No. 1477, on same subject, was substituted for House Bill No. 1531.

Mr. Bragg moved that Senate Bill No. 1477 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,

McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

Mr. Speaker announced that House Bills Nos. 1836 and 1837 would be placed on the Calendar for Thursday, April 12, 1984.

House Bill No. 1989--To delete tax credit, coin-operated amusement devices.

Mr. Stafford moved that House Bill No. 1989 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 1848--To make certain provisions, social services.

Ms. Duer moved that House Bill No. 1848 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell,

King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

House Bill No. 1815--To make certain provisions, dams and impounded water.

Mr. Smith moved that House Bill No. 1815 be passed on third and final consideration, which motion prevailed by the following vote.

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Senate Bill No. 1693--To regulate practice of barbering.

Mr. Moore (Shelby), moved that Senate Bill No. 1693 be passed on third and final consideration, which motion prevailed by the following vote;

Ayes	80
Noes	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson

(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood and Work--80.

Representatives voting no were: Crain, Dills, Harrill, McKinney, Moody, Pickering and Yelton--7.

A motion to reconsider was tabled.

On motion of Mr. Clark (Davidson), House Bill No. 1778 was withdrawn from the House.

Mr. Covington moved that House Bill No. 657 be placed on the Calendar for Monday April 23, 1984, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1992--To regulate taking of certain wild animals;

1993--To regulate buying and selling Wildlife; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

House Bill No. 1534--To amend Section 7-4-116, Code.

On motion, House Bill No. 1534 was made to conform with Senate Bill No. 1992.

On motion, Senate Bill No. 1992, on same subject, was substituted for House Bill No. 1534.

Mr. Hillis moved that Senate Bill No. 1992 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 1535--To regulate buying and selling wildlife.

On motion, House Bill No. 1535 was made to conform with Senate Bill No. 1993.

On motion, Senate Bill No. 1993, on same subject, was substituted for House Bill No. 1535.

Mr. Hillis moved that Senate Bill No. 1993 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 1547--To make certain provisions, firearms.

Mr. Hillis moved that House Bill No. 1547 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1547 by deleting Section 1 in its entirety and substituting instead the following new Section 1:

Section 1. Tennessee Code Annotated, Section 39-6-1702(a) is amended by inserting in item (1) after the word "States" the following new words:

or any member of the Tennessee National Guard in the line of duty and pursuant to military regulations

On motion, the amendment was adopted.

Thereupon, House Bill No. 1547, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 1751--To restrict hours of sale, alcoholic beverages, certain resorts.

House Joint Resolution No. 393--Relative to commending Ione Youngblood.

House Joint Resolution No. 394--Relative to congratulating Carter High School girls basketball team.

House Joint Resolution No. 395--Relative to congratulating Carter High School boys basketball team.

House Joint Resolution No. 396--Relative to congratulating Polk County High School girls' basketball team.

House Bill No. 2238--To make certain provisions, amusement tax, Polk County.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes 88
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 138--Relative to Tennessee Healthy Children Initiative Program.

The Speaker referred Senate Joint Resolution No. 138 to the Committee on Education.

Senate Joint Resolution No. 179--Relative to congratulating Virgie Ellis.

Under the rules, Senate Joint Resolution No. 179 was referred to the Committee on Calendar and Rules.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Bill No. 2248 out of order, which motion prevailed.

House Bill No. 2248--To change tax rate, Gibson County School District--By Davis (Gibson).

Passed first consideration.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Bill No. 2249 out of order, which motion prevailed.

House Bill No. 2249--To change tax rate, Bradford Special School District--By Davis (Gibson).

Passed first consideration.

BILLS RE-REFERRED

On motion of Mr. Starnes, House Bill No. 2173 was recalled from the Committee on General Welfare.

On motion of Mr. Starnes, House Bill No. 2173 was referred to the Committee on Government Operations.

On motion of Mr. Starnes, House Bill No. 1097 was recalled from the Committee on General Welfare.

On motion of Mr. Starnes, House Bill No. 1097 was referred to the Committee on Government Operations.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--91.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 397--Relative to congratulating Coach Campbell Brandon--By Bell.

Under the rules, House Joint Resolution No. 397 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 398--Relative to congratulating Tennessee Temple Soccer team--By Wood, Robinson (Hamilton), Turner (Hamilton), Copeland, McAfee, Elsea and Starnes.

Under the rules, House Joint Resolution No. 398 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 399--Relative to commending Dr. James E. Cheek--By Webb and Starnes.

Under the rules, House Joint Resolution No. 399 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 400--Relative to commending Bill Anderson--By Bell.

Under the rules, House Joint Resolution No. 400 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 401--Relative to study, soil erosion issues--By Byrd.

The Speaker referred House Joint Resolution No. 401 to the Committee on Conservation and Environment.

INTRODUCTION OF BILLS

House Bill No. 2242--To make certain provisions, motor vehicle tax, Wayne County--By Wolfe and Herndon.

Passed first consideration.

House Bill No. 2243--To regulate voter registration, certain cities--By Huskey and Atchley.

Passed first consideration.

House Bill No. 2244--To regulate road commission, Carroll County--By Kelley, Herndon and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2245--To regulate harvesting of ginseng--By Moore (Sullivan).

Passed first consideration.

House Bill No. 2246--To set qualifications, general sessions judge, Clay County--By Davis (Pickett).

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1273--To regulate Elk River Development Agency.

Passed first consideration.

Senate Bill No. 1286--To regulate Sequatchie Valley Planning and Development Agency.

Passed first consideration.

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Senate Bill No. 1288--To regulate Tombigbee Waterway Development Authority.

Passed first consideration.

Senate Bill No. 1296--To regulate Beech River Watershed Authority.

Passed first consideration.

Senate Bill No. 1300--To regulate Upper Duck Development Agency.

Passed first consideration.

Senate Bill No. 1308--To regulate Tennessee Corrections Institute.

Passed first consideration.

Senate Bill No. 1350--To regulate paternity actions.

Passed first consideration.

Senate Bill No. 1360--To regulate statement of proper distribution, certain estates.

Passed first consideration.

Senate Bill No. 1403--To make provisions, public school textbooks.

Passed first consideration.

Senate Bill No. 1439--To regulate auditing, certain financial report of court clerks.

Passed first consideration.

Senate Bill No. 1476--To levy severance tax, certain minerals, county governments.

Passed first consideration.

Senate Bill No. 1479--To define professional bondsmen.

Passed first consideration.

Senate Bill No. 1490--To regulate position, jurors.

Passed first consideration.

Senate Bill No. 1559--To regulate bail bond certificates.

Passed first consideration.

Senate Bill No. 1566--To enact Personal Rights Protection Act of 1984.

Passed first consideration.

Senate Bill No. 1581--To limit acres, open space land.

Passed first consideration.

Senate Bill No. 1609--To create presumption, certain expenses, property repairs.

Passed first consideration.

Senate Bill No. 1610--To regulate reporting, sales of aircraft.

Passed first consideration.

Senate Bill No. 1611--To regulate sick leave, state employees.

Passed first consideration.

Senate Bill No. 1617--To define industrial machinery.

Passed first consideration.

Senate Bill No. 1726--To regulate property tax exemptions.

Passed first consideration.

Senate Bill No. 1791--To regulate State Board of Pharmacy.

Passed first consideration.

Senate Bill No. 1888--To regulate local sales tax rate.

Passed first consideration.

Senate Bill No. 1950--To provide for certain approval, Commissioner of Finance and Administration.

Passed first consideration.

Senate Bill No. 1968--To extend filing period, severance tax reports.

Passed first consideration.

Senate Bill No. 2020--To provide support, students, high school.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2240--To set term of office, Board of Highway Commissioners, Lake County.

Passed second consideration and held without reference.

House Bill No. 2241--To amend Section 37-216, Code.

Passed second consideration and referred to Committee on State and Local Government.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 11, 1984: House Bills Nos. 1022, 1464, 148, 180, 905, 1622, 1590, 961, 1687, 1621, 1861, 1673, 1393, 2008, 1528, 1609, 1619, 536, 1835, 1432, 1721, House Joint Resolution No. 267; House Bills Nos. 1912, 1593 and 1388.

GILL, Chairman.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1547--Tanner

House Bill No. 1577--Brewer, Cobb, Bewley

House Bill No. 2018--King (Washington)

House Joint Resolution No. 263--Owen

LOCAL BILL TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2240.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 11, 1984: House Bill No.

2240; Senate Joint Resolution No. 179; and House Joint Resolutions Nos. 397, 398, 399 and 400.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1547, 1751, 1815, 1848, 1910, 1989 and 2238; and House Joint Resolutions Nos. 393, 394, 395 and 396; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1508--To provide for mutual aid agreements, fire fighting;

1509--To regulate operation, certain banks;

1625--To increase number of commissioners, metropolitan port authority;

1672--To make certain provisions, savings and loan associations;

1676--To make certain provisions, certificates of title;

1678--To make certain provisions, dealer plates on trucks;

1851--To make certain provisions, gasoline tax;

1880--To amend Business Tax Act; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

368--Relative to congratulating Jefferson County High School basketball coach;

369--Relative to congratulating Coach Phil Lee, Vanderbilt University Women's basketball team;

372--Relative to memory, Clarence M. Mitchell, Jr.;

376--Relative to congratulating Coach Dana Kirk, Memphis State University; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

181--Relative to memory, Charles M. Gore;

182--Relative to congratulating Coach Eddie Weaver and Lady Buffaloes; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1436--To regulate insurance requirements, certain amusement rides;

1469--To regulate certain deposit and loan transactions;

1518--To regulate publication, delinquent tax lists;

1521--To regulate enforcement, tax liens;

1631--To regulate priorities, reemployment lists;

1657--To regulate factors, layoffs;

1696--To increase compensation, certain county election commissioners;

1709--To regulate application, Tennessee General Corporation Act;

1715--To regulate appointment, certain county charter government members;

1719--To regulate Board of Workhouse Commissioners;

1745--To repeal ordinance by referendum, certain municipalities;

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1810--To regulate certain inheritance taxes;

1924--To regulate reporting, certain violations, banking laws;

1990--To provide certain tax payments, coin-operated amusement devices;

1995--To prohibit shooting of coyotes, certain places; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

171--To make certain provisions, department of banking; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

EXPLANATION OF VOTE

Mr. Speaker:

I am the owner and President of Covington Wholesale Company, Inc., Covington, Tennessee. My company is engaged in the wholesale sales of cigarettes, tobacco and other related items.

To avoid any possible conflict of interest, I voted "present-not voting" on HB 1414.

Jimmy Naifeh

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 11, 1984.